

of only \$9.5 billion. The Administration has also failed to reprogram any additional money to the 7(a) program or offer a supplemental appropriations request.

As a result, the SBA's flagship 7(a) loan program, the single largest provider of long-term start-up and expansion loans to American's small businesses, has been crippled since the beginning of this fiscal year, when the SBA temporarily shut it down due to a funding shortfall. When the Agency reopened the program a week later, it implemented an artificial loan cap of \$750,000—a reduction of more than 50% of the program's statutory loan limit of \$2 million—and a prohibition on piggyback loans, which would have allowed lenders to make loans in excess of a loan cap.

Businesses who had already submitted applications for loans in excess of the new cap were then told their deals would not qualify for the program. These applicants had gone through months of financial planning and had been promised their loans would be approved. Many had already begun purchasing equipment and hiring employees. And if their deals don't get done, many will lose earnest money they had taken from personal savings and retirement plans to inject into these loans.

Other potential applicants who would ordinarily qualify for the 7(a) program have since been told there is no alternative to finance their start-up or expansion. The net result to these small businesses is a loss of faith in the U.S. government. The net result to the economy is a loss of jobs.

The provisions of S. 2186 fix this problem, and the bill has NAGGL's full support. As the trade association representing lenders who make over 80% of loans in the 7(a) program every year, we can attest to the fact that the minimal fee increases in S. 2186 are ones that lenders will pay and will not be passed along to borrowers. We also continue to oppose the SBA's legislative proposal to reduce the guarantee on all 7(a) loans to 50% and allow the legislation that provided for lender and borrower fee decreases through the end of this fiscal year to simply sunset.

Without the provisions of S. 2186, \$3 billion in loans will remain unavailable to small businesses for the remainder of FY 2004—a net loss of approximately 90,000 jobs. We also fear that if a swift and equitable solution is not enacted, many 7(a) lenders will flee the program, leaving a void in availability of the long-term financing that is so crucial to small businesses' success. This will be occurring at a time when our economy is in desperate need of a shot in the arm.

We request that you press for swift passage of S. 2186 to bolster economic recovery and the small businesses that can drive it. Thank you in advance for your consideration.

Sincerely,

TONY WILKINSON,  
President & CEO, NAGGL.

#### NOMINATION OF STEPHEN JOHNSON TO BE DEPUTY ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

Mr. WYDEN. Madam President, today, I announced my intention to object to any unanimous consent request for the Senate to take up the nomination of Stephen Johnson to be Deputy Administrator of the Environmental Protection Agency. I did this because I have been trying to obtain information concerning EPA's decision to become involved with the City of Portland's combined sewer overflow program since last August. Despite numerous

requests, EPA has to this point failed to answer my questions and failed to provide me with the documents I have requested, with the exception of a limited number of documents that EPA would have to provide to any requester under FOIA.

There are legitimate questions about EPA's decision to intervene 10 years after the City signed an enforceable order with the State of Oregon and after the city and its ratepayers have spent more than \$500 million to reduce sewer overflows. But to date, I have been unable to get answers to my questions from EPA despite repeated requests.

Last August, I wrote to the Acting EPA Administrator Marianne Horinko requesting answers to a number of questions concerning EPA's decision to become involved with the City of Portland's combined sewer overflow program. I also requested copies of documents about the Portland sewer situation. I never received answers to my specific questions, and I have received only a small number of the documents I requested.

I also submitted written questions following a hearing of the Senate Environment and Public Works Committee on September 15 to then EPA Assistant Administrator for Water, Tracy Mehan. I never received a response from Mr. Mehan, who has subsequently left the agency, or anyone else from EPA.

In October, I received a letter from Acting EPA Administrator Marianne Horinko promising to "work[] with your staff to identify which of the documents that are not enforcement sensitive or confidential would be most helpful to you." Since then, I have received only a slim file of documents that doesn't begin to answer my questions.

Finally, I ask EPA Administrator Leavitt to look into this personally more than a month ago.

Until I receive answers to my questions and the documents I need to exercise my oversight responsibilities over EPA as a member of the Senate Environment and Public Works Committee, I will continue to object to any unanimous consent request for the Senate to take up the nomination of Stephen Johnson to be Deputy Administrator of the Environmental Protection Agency.

#### ADDITIONAL STATEMENTS

##### RECOGNITION OF E. NORMAN VEASEY

• Mr. CARPER. Madam President, I rise today in recognition of the Honorable E. Norman Veasey upon his retirement as Chief Justice of the Supreme Court of Delaware. He has served as Chief Justice of the State of Delaware for 12 years. His leadership over that span of time has won him the respect and gratitude of our entire State. He has been, and remains, a trusted friend.

Chief Justice Veasey was born on January 9, 1933 in Wilmington, DE to

the late Dr. Eugene E. Veasey and Elizabeth N. Burnett. He attended the Peddie School in Hightstown, NJ. From there, he went on to Dartmouth College where he obtained his A.B. in 1954. He then attended the University of Pennsylvania Law School where he graduated in 1957 with his LL.B. At the University of Pennsylvania Law School, he was a Member of the Board of Editors of the University of Pennsylvania Law Review from 1955 to 1957 and was Senior Editor from 1956 to 1957. He was admitted to the Delaware Bar in 1958.

Chief Justice Veasey has spent most of his life in public service. He served honorably in the Delaware Air National Guard from 1957 to 1968 whereby he obtained the rank of captain. He has also served, among a long list, as Chief Deputy Attorney General of the State of Delaware, Chair of the Delaware Board of Bar Examiners, President of the Conference of Chief Justices in 2000, Chair of the ABA Special Committee on the Evaluation of the Rules of Professional Conduct "Ethics 2000", and President of the Delaware State Bar Association. Furthermore, he served as a Director of Beneficial Corporation and National Bank for 13 years from 1979 to 1992.

From 1957 to 1988, he was a member of the prestigious Delaware law firm of Richards, Layton & Finger, with practice emphasis in corporate transactions, litigation and counseling. He was a member of the firm from 1957 to 1992, serving as a partner from 1963 to 1992 and as president from 1985 to 1988.

Judge Veasey became Chief Justice of the State of Delaware on April 7, 1992, having been nominated to that post by then Governor Michael N. Castle and unanimously confirmed by the Delaware State Senate. Chief Justice Veasey is a Judicial Fellow of the American College of Trial Lawyers and is a member of both the Standing Committee on Rules of Practice and Procedure of the United States Judicial Conference and the American Law Institute. He is a Life Fellow of the American Bar Foundation and a director of the Institute for Law and Economics at the University of Pennsylvania. He has been a frequent speaker on corporate governance, ethics and professionalism at continuing legal education programs and has been published widely in the fields related to corporate governance.

In June of 2002, Chief Justice Veasey received the 2002 Paul C. Reardon Award, one of the highest awards given by the National Center for State Courts, NCSC. The Reardon Award, named after the late Massachusetts Supreme Court Justice who was the first president of The National Center's Board of Directors, is presented to a person who has made outstanding contributions to the improvement of the justice system and who has supported the mission of The National Center.

Chief Justice Veasey has been a member of the Conference of Chief Justices since 1992, and headed the conference from 1999 to 2000, a singular

honor for him and for Delaware. He has been intimately involved in issues of attorney ethics, having served as chair of the American Bar Association's Special Committee on Evaluation of Rules of Professional Conduct, Ethics 2000. A frequent speaker on corporate governance, ethics, and professionalism at continuing legal education programs, Chief Justice Veasey has been published widely in the fields related to corporate governance. From 1994 to 1995, he was Chair of the Section of Business Law of the ABA. Justice Veasey is also a Judicial Fellow of the American College of Trial Lawyers.

Justice Veasey has been married to the former Suzanne Johnson for 47 years. Both he and Suzy are the proud parents of four children, Andrew, Douglas, E. Norman, Jr. and Marian Elizabeth, and even prouder grandparents to eleven grandchildren.

Through Chief Justice Veasey's tireless efforts, he has made a profound difference in the lives of thousands of Delawareans. Upon his retirement, he will leave behind a legacy of commitment to public service for both his children and grandchildren and for the generations that will follow. I thank him for the friendship that we share and for the privilege of working closely with him when I served as Governor of Delaware from 1993 to 2001. On behalf of all Delawareans, I congratulate him on a truly remarkable and distinguished career. I wish him, Suzy and their family only the very best in all that lies ahead for each of them.●

#### HONORING RETIRING SENATORS IN THE IDAHO STATE LEGISLATURE

● Mr. CRAPO. Madam President, I rise today to honor some good friends who will retire later this month from the Idaho State Senate after a long history of public service.

Laird Noh is completing his twelfth term, representing District 24, Twin Falls County. Presently he serves as the chairman of the Senate Committee on Resources and Environment; he is also a member of the Senate Committee on Agriculture Affairs and the Senate Committee on Education. Throughout his career, Senator Noh has provided reasoned stability, civility and wisdom to a wide range of issues confronting the State of Idaho for all these years.

Since he began his tireless service to Idaho in 1980, he has set a high standard for public service. Since I was elected to the Idaho State Senate in 1984, Laird has been a friend and mentor to me. I have always appreciated his thoughtful insights and measured manner. In countless meetings with Laird, he has paid incredible attention to the information given and followed that up with salient questions and real action. He has had remarkable foresight on a number of legislative issues, and been able to ascertain how an issue or piece of legislation will affect Ida-

hoans down the road. He is truly a statesman who followed his own moral compass and set a course that he felt would best benefit Idahoans. He has been dedicated to giving his all as he has carefully listened to the needs of Idahoans. His leadership and institutional knowledge will be greatly missed as he retires after 24 years of service.

I am certain that his wife Kathleen and his children, John and Susan, will be pleased to have him back home, but I fully expect that he will stay involved in his community. Idaho is a better place to live because of Laird Noh's fine service to the State and its people. I know they join with me in thanking him and wishing him well in his future endeavors.

Sheila Sorensen is completing her sixth term representing District 18 in Ada County. She has been a significant force in the Idaho State Senate, and is completing her tenure as the chairman of the State Affairs Committee. She has also served this session on Judiciary and Rules.

Public servants like Sheila are hard to come by. She has demonstrated a strong commitment to her community and her ideals as she has represented District 18. Sheila is known for her political courage. She has been willing to work across party lines and develop solutions that will make Idaho a better place to live and work. Her medical training has given her unique insight into many issues that have come before the Idaho State Senate.

Her contributions to Idaho will be felt long after she retires from the State senate. Sheila and her husband Dean are longtime friends and supporters of mine, and I will personally miss having them in Idaho and look forward to their return to our State. I appreciate her service, and know that many others in District 18 and across the State join with me in wishing her the best as she moves to the next challenges in her life.

Cecil Ingram is also completing his sixth term representing District 16 in Ada County. He is finishing up his service in the State senate as chairman of the Transportation Committee. His service on the Health and Welfare Committee and the Local Government and Taxation Committee has also been admirable.

He has provided leadership to our State in so many areas, and has been an example of a great public servant. Cecil is known for his independent streak that has advanced the debate on many public policy issues in Idaho, and we are better for that contribution. His efforts have extended beyond the Idaho State Senate to various community organizations, including the Western Idaho Fair, the Salvation Army, the United Way, Junior Achievement, and the Mountain States Tumor Institute. Cecil's wife, Lois Ann, and his three children, Cynthia, William, and Christopher, have provided him with strong support from home, and I know that

without that kind of backing, it would be impossible for him to work as tirelessly as he has for the betterment of our State. His contributions will be greatly missed, and I send my best wishes as he moves into the next phase of his life.

All three of these senators have carved their own mark on our State. They have done it in an admirable and memorable fashion, and I know that their efforts have not gone unnoticed and will likely be felt for years to come.●

#### THE 175TH ANNIVERSARY OF FAYETTEVILLE FIRST BAPTIST CHURCH

● Mr. MILLER. Madam President, I rise today to honor the 175th anniversary of the Fayetteville First Baptist Church, which has faithfully served the spiritual needs of its congregation since its humble beginnings in 1828. The church's mark and influence on the community is evident by the good works that her congregation has taken part in over the last 175 years. Fayetteville First Baptist's commitment to worship the Lord and serve the public has established it as a beacon of hope to the surrounding community and has held it in high standing among the churches of the South Metro Baptist Association.

Fayetteville First Baptist's message has found its way out of the present chapel, built in 1939, and in to the greater community through its missionaries and ministers, through the sister churches that it has established, and through the spiritual and social opportunities that it has brought to so many. Our places of worship are vital to the social fabric of our Nation, and Fayetteville First Baptist is no exception. It has taken on this responsibility and remained steadfast in its mission for the last 175 years. I am proud of this wonderful church and ask that my colleagues join me in wishing its congregation a happy 175th anniversary.●

#### TRIBUTE TO ELAINE RAUBACH

● Mr. HARKIN. Madam President, I would like to take a few minutes to comment on the recent retirement of Elaine Raubach. Elaine served for many years as the director of the Budget and Analysis Group of the Centers for Medicare and Medicaid Services. In that role, Elaine was responsible for putting together the budget and performance plan for CMS, as well as running the agency's financial management system.

Elaine previously played a lead role in the development and implementation of a major reorganization of the agency, then known as the Health Care Financing Administration. She also served the agency in information resources management.

Elaine began her Federal career in 1973 with the Social Security Administration and, soon thereafter, began